Pursuant to Executive Order 13985 (January 20, 2021) on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"

A Vision for Equitable Data

Recommendations from the Equitable Data Working Group



Overview

Through the Federal Government ("Equity EO") launched a whole-of-government effort to incorporate the principle of equity throughout the federal government. Recognizing that the ability to conduct equity assessments—i.e., to understand the impact of federal policies on equity outcomes—and identify and remove barriers to equitable access to government programs is contingent on gathering the necessary data, President Biden ordered the formation of the Equitable Data Working Group ("Working Group"). The President directed the Working Group to study existing federal data collection policies, programs, and infrastructure to identify inadequacies and provide recommendations that lay out a strategy for increasing data available for measuring equity and representing the diversity of the American people.

Disaggregated data—data that can be broken down and analyzed by race, ethnicity, gender, disability, income, veteran status, age, or other key demographic variables—is essential to this task. It offers more precise statistical indicators of population well-being, as well as insight into who can and cannot access government programs and whether benefits and services are reaching underserved and underrepresented communities. Equitable policymaking and program design also require attention, through data collection and analysis, to understand the ways in which people who belong to multiple underserved and underrepresented populations can experience compounded discrimination or disadvantage in accessing government benefits, services, and programs.

The Working Group, (see Appendix A) chaired by Dr. Alondra Nelson (OSTP) and Dr. Margo Schwab (OMB), consulted with a range of advocates and experts from civil society, including academic researchers and community leaders who leverage federal data (see Appendix B); federal department and agency leads for data, statistics, privacy, and program evaluation; and our colleagues leading related equity efforts (e.g., the White House Gender Policy Council, Justice 40, and the White House Initiative on Asian American, Native Hawaiian, and Pacific Islanders (WHIAANHPI)). The Working Group was also informed by agency efforts to implement the President's policies on scientific integrity and evidence-based policymaking, and related OSTP and OMB guidance. These stakeholders and officials identified three priority uses for equitable data: generating disaggregated statistical estimates to characterize experiences of historically underserved groups using survey data; increasing non-federal research and community access to disaggregated data for the evidence-building that supports equity efforts; and conducting robust equity assessments of federal programs to identify areas for improvement. The Working Group also pursued a series of case studies to identify what progress could be made using existing program data to answer equity-centered questions in areas such as economic recovery and pandemic or environmental disaster response.

In this document, the Working Group presents a new vision for equitable data that will drive the Biden-Harris Administration over the next year and beyond. Presented alongside this vision are key recommendations of the Working Group, early examples of progress, and related investments called for in the FY 2023 President's Budget.

A Vision for Equitable Data

Equitable data are those that allow for rigorous assessment of the extent to which government programs and policies yield consistently fair, just, and impartial treatment of all individuals. Equitable data illuminate opportunities for targeted actions that will result in demonstrably improved outcomes for underserved communities. The following practices will allow us to achieve our equitable data vision:

Make Disaggregated Data the Norm While Protecting Privacy

To ensure that historically underserved populations are empowered by and benefit from federal data, surveys, and equity assessments, the federal data system should support disaggregation, directly or through statistical estimates. However, as the federal government expands its use of disaggregated demographic data, it must be intentional about when data are collected and shared, as well as how data are protected so as not to exacerbate the vulnerability of members of underserved communities, many of whom face the heightened risk of harm if their privacy is not protected.

Catalyze Existing Federal Infrastructure to Leverage Underused Data

Although many federal programs do not report disaggregated data, they may partner with the thirteen <u>federal statistical agencies</u> (agencies whose principal mission is to produce official federal statistics) that have the experience, and many of the tools necessary, to allow departments and agencies to generate disaggregated estimates of program participation in ways that protect against inadvertent disclosure of identifiable information. Policy support for generating the legal and logistical agreements necessary for productive interagency data-sharing partnerships will help to avoid historical roadblocks and address underutilization of existing federal data by facilitating quick and safe access to disaggregated data for equity assessment. Data sharing must be done in a manner that explicitly addresses the tension between the public's trust in data confidentiality and increasing data access for equity efforts.

Build Capacity for Robust Equity Assessment for Policymaking and Program Implementation

Equitable policymaking and program implementation require an approach to evaluation and data analysis that allows for robust assessment of compounded experiences and overlapping identities. Such analysis is critical because it recognizes how the interconnectedness of identities and experiences (e.g., as a Black woman, or as a transgender immigrant) shape the need for particular federal programs and services and the barriers that may prevent access. Agencies and program offices will need to invest in the statistical, evaluation, and data science expertise necessary to design and conduct robust equity assessments using their administrative data, consistent with the <u>Foundations for Evidence-Based Policymaking Act of 2018</u> ("Evidence Act") and the Equity EO.

Galvanize Diverse Partnerships Across Levels of Government and the Research Community

Durable, equitable data infrastructure requires fostering collaborations across all levels of government, as well as with a diverse community of external organizations in order to address specific challenges of mutual priority and interest. It will be necessary to create incentives and pathways for increased representation among research community participants interested in generating equitable data and engage representatives of the communities that access and participate in federal programs in the design of research collaborations about those programs. Agencies must also look for opportunities to create mutually beneficial uses of the data that they request from grantees, in order to encourage providing good quality data.

Be Accountable to the American Public

Providing tools that allow civil society organizations and communities to use and visualize federal data and chart government's progress toward equitable outcomes is crucial for strengthening accountability and credibility with the American public. Such tools encourage community participation in government equity efforts, but must meet individuals where they are in terms of data analysis capacity and resources. The government should support platforms and partnerships that enable the public to easily find meaningful data about the well-being of their communities and the services provided to them.

Key Recommendations

The recommendations presented here are designed to establish the foundation for a holistic federal strategy toward equitable data, in which all actors are intentional about when and how they promote disaggregated demographic data across the full data lifecycle—including the collection, protection, management, analysis, dissemination, use, and destruction of the data.

Make Disaggregated Data the Norm while Protecting Privacy

Revise the <u>Office of Management and Budget (OMB) Statistical Policy</u>
 <u>Directive 15</u>: Standards for Maintaining, Collecting, and Presenting
 Federal Data on Race and Ethnicity

Federal standards are important because they ensure consistent and comparable data government-wide. However, many who met with the Working Group emphatically stated that many individuals—for example, people of Middle Eastern and North African heritage and subgroups of Asian American, Native Hawaiian and Pacific Islanders—are not represented within the current minimum racial and ethnic categories, leaving them unseen in government statistics and masking important inequities.

Key Administration Actions

As the FY23 budget request indicates, the Administration is prioritizing restoring statistical infrastructure necessary to preserve the integrity of the federal statistical system and the statistical standards under which it operates. While OMB is actively working to help ensure the federal statistical system efficiently, effectively, and accurately captures the diversity of the American people, federal agencies, along with state and local partners, are also able to disaggregate data beyond OMB's minimum classification categories for collection, tabulation, and reporting – as the U.S. Census Bureau did for the 2020 Census data collection. OMB is developing updated guidance to promote improved understanding of disaggregation already allowable under the current Statistical Policy Directive No. 15.

Several federal statistical surveys already offer respondents the opportunity to provide their specific Asian or Native Hawaiian or Other Pacific Islander identity. The Interagency Council on Statistical Policy is developing a searchable data catalog to increase awareness about the availability of disaggregated Asian and Native Hawaiian or Pacific Islander federal statistical data to facilitate analysis of these data in order to understand the life experiences of these smaller population groups.

Generate disaggregated statistical estimates

Changing the race and ethnicity standard is important but not sufficient to generate the disaggregated statistical estimates on federal surveys that are necessary for understanding potential disparities in life experiences and outcomes across demographic groups. Sample sizes in many national statistical surveys would need to be increased to generate estimates for smaller populations – such as individual LGBTQI+ communities and smaller racial and ethnic groups – without jeopardizing the confidentiality of survey respondents. Additionally, because increases in sample size are not a cost-effective way to study the smallest population subgroups, the Working Group recommends support for other alternative avenues as well. For instance, statistical agencies should explore creating multi-year datasets for national surveys that will allow publishing estimates for small populations.

Key Administration Actions

The Bureau of Labor Statistics has demonstrated that even for populations where we have historically found it more difficult to collect representative data, there are creative ways to document important trends. Over the last few months, they have published several special reports, including one on <u>barriers to employment for persons</u> with disabilities disaggregated by age, sex, educational attainment, and prior work experience and another about the <u>unemployment rate</u> of American Indians and Native Alaskans from 2003 through 2021.

The President's Fiscal Year 23 budget request includes funding for the following:

National Center for Health Statistics (NCHS) to increase data available for understanding the health and health care status of historically underserved communities through evaluation of electronic health records and increasing the sample size of the National Health Interview Survey to allow disaggregated estimates and analyses of health care access, chronic health conditions (including long COVID-19), and mental health status disaggregated by and across race and ethnicity, gender identity, and sexual orientation.

<u>Bureau of Justice Statistics</u> to increase understanding of crime victimization in historically underserved communities through investment in the volume, quality, and analysis of data collected by the National Incident Based Reporting System and improving the National Crime Victimization Survey.

<u>Census Bureau</u> to develop sampling frames to support study of historically underserved communities; improve measurement of race and ethnicity through improvements in record linkage methodologies and imputation methods; and assess the feasibility of combining labor force survey data with other sources of information, such as administrative data and population estimates, to produce estimates on

topics of interest for smaller population groups that are not available elsewhere (e.g., American Indian and Alaska Native and Native Hawaiian and Other Pacific Islander).

Establish best practices for measuring sexual orientation, gender identity, disability, and rural location

Both community advocates and agencies raised concerns that the lack of government-wide guidance for collecting demographic variables inhibits a consistent, inclusive data strategy and stymies the ability to examine equity across these identities.

Key Administration Actions

NCHS <u>asked transgender</u>, <u>non-binary</u>, <u>and other Americans</u> about how they want to see themselves reflected on Federal IDs. This groundbreaking user research directly informed the State Department's adopted definition of the "X" gender marker and provided the basis for additional gender options on several other federal forms.

The Federal Committee on Statistical Methodology recently completed <u>a brief</u> that describes what we have learned to date from federal efforts to develop effective sexual orientation and gender identity survey questions. This work informed the Census Bureau information collection on sexual orientation and gender identity in its Household Pulse Survey, beginning in July 2021.

The President's Fiscal Year 23 budget request includes <u>funding for critical research</u> on how to best add questions about sexual orientation and gender identity to the Census Bureau's American Community Survey, one of our nation's largest and most important surveys of American households. This data collection will help the federal government better serve the LGBTQI+ community by providing valuable information on their jobs, educational attainment, home ownership, and more.

Catalyze Existing Federal Government Infrastructure to Leverage Underused Data

Expand protected access to data for equity assessment

Historically, when specific demographic data was not necessary for determining an individual's eligibility for a program, agencies did not collect such information. One of the most common questions that agencies posed to the Working Group was how they could disaggregate their program participant rolls in order to identify and rectify any inequity. The Working Group identified opportunities to estimate social safety net program participation by demographic characteristics, while preserving privacy, by matching existing federal data, such as those held by the Census.

Key Administration Actions

Through its case study on Economic Impact Payments (EIPs) that provided relief

during the pandemic, the Working Group executed an agreement to <u>allow sharing</u> <u>of EIP payment data from Treasury with Census</u> to conduct an analysis of recipient demographics. Through another case study, National Oceanic and Atmospheric Administration (NOAA), National Aeronautics and Space Administration (NASA), Census, and Federal Emergency Management Agency (FEMA) are coordinating data needs to enable NOAA to more accurately explain social outcomes and climate impacts on vulnerable communities and to allow FEMA to better understand the demographic and economic characteristics of areas impacted by natural disasters.

The President's Fiscal Year 23 budget request includes funding for the Census Bureau to help social safety net and business assistance programs <u>understand the demographic characteristics of their participants, grantees, and customers</u> so that they can increase equity and better understand how their programmatic and policy decisions impact underserved communities.

Build Capacity for Robust Equity Assessment for Policymaking and Program Implementation

Invest in the human capital necessary for equity assessment

Agency consultations revealed a particular absence in capacity to design and conduct robust equity assessments. Agencies need to build the statistical, data science, and evaluation capacity necessary for generating evidence-based policy consistent with the Evidence Act. Such expertise is vital for programs to conduct equity assessments but is currently limited within the federal government. Resources will be critical to building this capacity.

Key Administration Actions

The President's Fiscal Year 23 budget request includes funding for: the Internal Revenue Service to hire staff to conduct analysis on equity-related policy issues and support the Department's equity goals, including impact measurement on socially and economically disadvantaged and Tribal communities; the Veterans Benefits Administration to promote greater equity in service delivery by hiring evaluation analysts to assess potential disparities among veterans who have historically been disadvantaged based on their race, ethnicity, gender identity or sexual orientation; and FEMA to bolster capacity to identify inequities and barriers to accessing benefits in the application process for disaster assistance.

 Use recovery and infrastructure initiatives to institutionalize expectations for assessing equity

The Administration encouraged the use of American Rescue Plan (ARP) funds, where allowable, to support state, local, territorial, and Tribal data infrastructure,

Key Recommendations

and expanded reporting requirements for disaggregated data collection across key programs. Bipartisan Infrastructure Law (BIL) funding and activities, consistent with statutory language, should also be used to build equitable data collection, evaluation, and analysis infrastructure. Such capabilities are critical for ensuring that projects benefit underserved communities and create opportunities for workers who have been systemically excluded from such employment opportunities in the past.

Key Administration Actions

ARP funds have been used to support data infrastructure across several programs, but most notably Treasury's \$350 billion Coronavirus State and Local Fiscal Recovery Fund. Treasury, through its Final Rule for the State and Local Fiscal Recovery Fund, clarified that recipients may use funds for administrative costs to support program evaluation, data, and outreach. This use includes a range of eligible investments, such as program evaluation and evidence resources; data analysis resources to gather, assess, share, and use data; and community outreach and engagement activities.

Through \$260 million in grant funding from ARP, DOL is awarding grants to state governments for activities that promote equitable access to Unemployment Insurance (UI) programs, including expanding and improving collection of demographic data. Covered activities include the creation of new measures of program access, such as application rates, recipiency rates, and timeliness of benefit receipt, by demographic subgroups, such as race, ethnicity, gender, age, and geography.

The Administration's <u>Justice40</u> Initiative aims to provide 40 percent of the overall benefits of certain Federal investments, such as those related to climate and clean energy to disadvantaged communities. As such, programs—including many in BIL—will use the <u>recently released Climate and Economic Justice Screening Tool</u> to identify disadvantaged communities that are marginalized, underserved, and overburdened by pollution. Similarly, BIL will also enable <u>NOAA to improve</u> and significantly <u>expand</u> equitable access to weather and climate prediction capabilities and services and enhance coastal resilience.

Additionally, the Administration has worked to ensure disaggregated demographic data collection, where possible, across critical ARP-funded programs. For instance, programs such as the State Small Business Credit Initiative, Emergency Rental Assistance, the Low Income Home Energy Assistance Program, and SBA's Community Navigators, among several others, have expanded or established new reporting requirements for grantees to understand how historically underserved communities and populations are accessing resources.

Galvanize Diverse Partnerships Across Levels of Government and the Research Community

Facilitate increased federal-state-local data sharing

Federal collaborations with state, local, territorial and Tribal governments can yield high quality demographic data when all partners see value in its collection and use. Federated social safety net programs should consider how to incentivize and support their state partners to collect and analyze disaggregated demographic data, beyond just requiring its collection. They should equally ensure that those data are appropriately protected to avoid harm, including inadvertent disclosure, and that such collection does not discourage program participation.

Key Administration Actions

DOL has released a funding opportunity for state governments to participate in an <u>Unemployment Insurance (UI) Navigator Program</u>, through which community-based organizations will partner with state UI agencies to help underserved communities access the UI program and also regularly report on the barriers they observe to state UI agencies and DOL. In addition, participating states will share UI program data with DOL to generate equity indicators that can inform the work of community-based organizations, including outreach, education, and assistance efforts.

On December 15, 2021, <u>NOAA announced the winners</u> of its climate competition within the Open Data for Good Grand Challenge, which is part of <u>The Opportunity</u> <u>Project, run by the Census Bureau</u>. The purpose of the competition was to accelerate the production of new digital tools to help local decision-makers use federal data for improved climate resilience planning.

Expand opportunities for historically underrepresented scholars

It is critical that a diverse and inclusive range of researchers be able to conduct their own equity analyses and contribute to government equity efforts. Grants should be made to increase technical support and more structured funding opportunities for a diverse range of scholars, including those at Historically Black Colleges and Universities (HBCUs) and other Minority-Serving Institutions (MSIs).

Key Administration Actions

Two initiatives in the President's Fiscal Year 23 budget request that are relevant here are: funding for the Census Bureau to <u>support scholars studying marginalized populations</u> by alleviating costs and bolstering institutional research, including through the provision of virtual access to statistical data and collaboration with stakeholders from underrepresented groups such as researchers at HBCUs and other MSIs; and funding for the National Science Foundation's new <u>Growing Research Access for Nationally</u>

<u>Transformative Equity and Diversity</u> (GRANTED) to reduce barriers to competitiveness by supporting MSIs in research administration and post-award management, as well as the implementation of effective practices for competitive proposal development, through mechanisms such as research-coordination networks and institutional partnership grants, ideas labs, and research enterprise hubs in different geographic regions. The Department of Energy has announced <u>\$102 million in funding and support for HBCUs and other MSIs</u> as foundations for world-class talent in the fields of Science, Technology, Engineering and Math (STEM).

Be Accountable to the American Public

Increase transparency about progress toward serving underserved populations

Civil society organizations should be able to use government data to hold the government accountable for delivering benefits and services to all communities. Section 5 of the Equity EO focuses on equity assessment, but at the current time, there is not a government-wide approach to providing statistics to the public that demonstrate progress in increasing equity.

Key Administration Actions

The President's FY23 budget request includes funding for <u>institutional capacity to expand engagement</u> with historically underrepresented and underserved groups and develop actionable goals to advance equity.

The Department of Labor (DOL) commissioned and published <u>two new studies</u> documenting inequalities in access to UI benefits, including during the COVID-19 pandemic, as well as what the data can tell us about the obstacles that different populations encounter in accessing these benefits in a timely manner.

Build data access tools that are user-friendly

Consistent with Executive Order 13571, conducting robust customer experience research on accessing and using federal data in order to identify best practices and tools (such as dashboards, query systems, and visualizations) is essential to ensure meaningful community access across the data literacy spectrum.

Key Administration Actions

The President's FY23 budget request includes funding for NASA, in coordination with other agencies and partners, to develop an Earth Information Center as part of a renewed emphasis on providing actionable Earth science data and information to a broad range of users with a goal of making data more accessible and useable to federal, state, local, territorial and Tribal governments, researchers, community organizations, and the general public.

Key Recommendations

In addition, the President's FY23 budget request includes funding for the Census Bureau to develop and <a href="https://host.com/

We look forward to continuing the work of the Equitable Data Working Group to implement these recommendations, develop further thinking on these important issues, and engage with the broader community of advocates, scholars, and scientists to advance a long-term vision for equity, data, and policymaking.

Actions to make progress toward the vision for equitable data will be done in collaboration with, and be supportive of, related federal efforts, including those pursued by the <u>Gender Policy Council</u>—including implementation of the first-ever <u>national gender strategy</u>—and <u>WHIAANHPI</u>, as well as work underway to improve data collection related to achieving the President's <u>scientific integrity and evidence-based</u> <u>policymaking</u>, <u>health equity</u>, <u>environmental justice</u>, and <u>federal diversity</u>, equity, inclusion and accessibility commitments.

Appendix A: Working Group Membership

Working Group membership was designed around types of expertise rather than agency representation. The Equity EO mandated the Working Group's initial membership include the Federal Chief Information Officer (CIO), the US Chief Statistician, the US Chief Data Scientist, Administrator of the U.S. Digital Service, Chair of Council on Economic Advisors, Director of the U.S. Census Bureau, and the Assistant Secretary of the Treasury for Tax Policy.

Per the Equity EO, the Working Group membership includes:

- Margo Schwab, co-Chair, PhD chosen by OMB to bring the perspective of the Chief Statistician of the United States;
- Alondra Nelson, co-Chair, PhD chosen by OSTP to bring the perspective of the Chief Technology Officer and Chief Data Scientist of the United States;
- Danny Yagan, PhD was chosen by OMB to represent the OMB Director;
- Ron Jarmin, PhD, as Acting Director of the US Census Bureau;

- Martha Gimbel and later Damon Jones, PhD were chosen by the Council on Economic Affairs to represent their Chair;
- Parth A. Tikiwala, MBA was chosen by OMB to represent the Federal CIO:
- Lily Batchelder, JD/MPP, as
 Assistant Secretary of the Treasury
 for Tax Policy of the United States
 Treasury Department; and
- Amy Paris was designated as the USDS representative.

This group was joined by members of the Domestic Policy Council, in fulfillment of its coordination role, and collectively referred to as the "Steering Committee." Over time, senior officials from other agencies joined the Steering Committee because of the intersection between their work and the Working Group's activities, including representatives from the Department of Labor, the US Department of Agriculture, the Department of Commerce, the Department of Transportation, the Office of the US Trade Representative, the National Aeronautics and Space Administration, the US Equal Employment Opportunity Commission, the Federal Emergency Management Agency, as well as representatives from other Executive Office of the President engaged in the implementation of related executive orders including the Gender Policy Council, the Asian American, Native Hawaiian and Pacific Islander Senior Liaison, and the Office of National Drug Control Policy.

Appendix B: External Engagement

The Equity EO highlights the importance of consultation and engagement with the public, including members of underserved communities, as part of the equitable data policy process. To that end, the Working Group held sessions to seek input from a wide range of organizations representing underserved groups (see list below). The Working Group also received over 200 comments in response to an OMB Request for Information (RFI) about how federal data could be improved and leveraged to advance equity.

Meetings with Civil Society and the Research Community:

- AAPI Data
- Advancement Project
- American Economic Association (AEA)
- American Statistical Association (ASA)
- Anchor Collaborative
- Arab Community Center for Economic and Social Services (ACCESS)
- Asian & Pacific Islander American Health Forum (APIAHF)
- Asian Americans Advancing Justice
 AAJC
- Association of Asian Pacific American Health Organizations
- Association of Population Centers
- Black Women's Roundtable
- Catalyst Miami
- Casey Family Programs

- Center for American Progress
- Congressional Asian Pacific American Caucus (CAPAC)
- COVID-19 Health Equity Task Force
- DataedX
- Demos
- Equitable Growth
- Esri
- Faith in Action
- Girls for Gender Equity
- Grantmakers for Girls of Color
- Gulf Coast Center for Law & Policy (GCCLP)
- In Our Own Voice
- Institute for Women's Policy Research
- Latina Institute
- Legal Momentum
- Ms. Foundation

Appendix B: External Engagement

- National Asian Pacific American Women's Forum (NAPAWF)
- National Assembly of American Slavery Descendants (NAASD)
- National Association for the Advancement of Colored People (NAACP)
- National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund
- National Congress of American Indians
- National Council of Asian Pacific Americans
- National Crittenton
- National Urban League
- National Women's Law Center
- NIH Sexual and Gender Minority Research Coordinating Committee
- Pew Research Center
- Population Association of America
- Race Forward
- She the People
- South Asian Americans Leading Together
- Southeast Asia Action Resource Center
- The Leadership Conference on Civil and Human Rights
- UNIDOS US

- Urban Institute
- Williams Institute
- Women's Funding Network